



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: ) Group Art Unit: 1631  
)  
HOGAN *et al.* ) Examiner: Marschel, A.  
)  
Serial No. 08/454,529 ) Atty. Docket No. GP004-16.DV4  
)  
Filed: May 30, 1995 )  
)  
For: METHODS FOR DETERMINING )  
THE PRESENCE OF NON-VIRAL )  
ORGANISMS IN A SAMPLE )

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(c)**

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In accordance with MPEP § 2001.06(c), Applicants hereby bring to the Examiner's attention a publication being produced in Civil Action No. 99 CIV 4548, a patent infringement action discussed in Applicants' Supplemental Information Disclosure Statement dated May 5, 2003. A copy of this publication is listed on the attached form PTO/SB/08 (two copies) and is enclosed herewith for consideration in connection with the examination of the above-captioned application.

This Information Disclosure Statement is being submitted under the provisions set forth in 37 C.F.R. § 1.97(c) more than three months from the filing date of the subject application and after the mailing date of a first Office action on the merits but before the mailing date of final action, notice of allowance or action that otherwise closes prosecution in the application. Although *ex parte* prosecution in the instant application has been suspended, due to a potential interference, Applicants submit that a suspended prosecution does not close prosecution in an application.

Please charge the fee set forth in 37 C.F.R. § 1.17(p), and any other fee which may be due, to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.



Serial No. 08/454,529  
Atty. Docket No. GP004-16.DV4

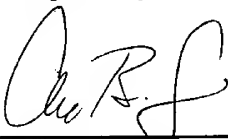
Applicants respectfully request an indication that the cited publication was considered by returning one copy of the attached form PTO/SB/08 with the Examiner's initials or other appropriate marks.

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Dated: October 29, 2003

Respectfully submitted,

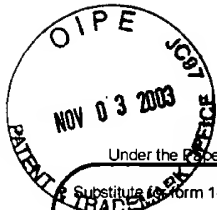
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	08/454,529
Filing Date	May 30, 1995
First Named Inventor	James J. Hogan
Art Unit	1631
Examiner Name	A. Marschel
Attorney Docket Number	GP004-16.DV4

Sheet 1 of 1

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Schoolnik et al., "The Pathogenic Neisseriae, Proceedings of the Fourth International Symposium, Asilomar, California, 21-25 October 1984", ASM, Wash., DC 123-198 (1985).	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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